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OLC 72-0572
8 May 1972

MEMORANDUM FOR THE RECORD

SUBJECT: House Armed Services Intelligence Briefing, 9 May 1972

1. In talking to Bill Hogan, House Armed Services Committee staff, Friday evening he told me the following questions are ones that the Chairman has asked repeatedly in one form or another and suggested that we might want to anticipate these matters and address them directly.

a. With regard to protection of classified information, the Committee will be interested in why it is so difficult under our statutes for sensitive agencies to prosecute for an offense.

b. With regard to the Brown Commission and the codification of the espionage laws and pertinent sections of Title 50, the Chairman will undoubtedly ask for recommendations on this line and may ask what is wrong with a simple statute that would make it an offense where a person wrongfully takes or carries away classified information and turns it over or releases it to an unauthorized person.

c. The Chairman and the Committee appreciate the Department of Justice is the leader in establishing the policy in these matters but this notwithstanding, all executive agencies are involved. The Committee does not want to kick up any dust between CIA and Justice but the Committee may well request our candid opinion of what the Committee can recommend in the way of legislation or whatever to correct the present situation of classified information appearing in the press on a daily basis.

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Assistant Legislative Counsel

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